IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24204 of 2007(F)

PETITIONER:

SMT.C.K.KUNHAMINA,
D/O. MOIDHEEN, MOONUNIRATH P.O.,
AZHIKODE, KANNUR DIST.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:
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1. ASSISTANT REGISTRAR OF CO-OP.SOCIETIES,
SALES OFFICER, KANNUR CO-OP. BANK LTD.,

2. KANNUR DIST. CO-OP.BANK LTD.,
AZHIKODE BRANCH,REP. BY ITS
BRANCH MANAGER.

R1 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)
R2 BY ADV. SHRI MOHAMMED KUNHI, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 24204 OF 2007 F

Dated this the 13th August, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery steps were taken. Petitioner challenges Ext.P1 sale notice. Heard the learned counsel appearing for the respondent Bank also. The recovery proceedings pursuant to Ext.P1 will be kept in abeyance on condition that the petitioner remits a sum of Rs.25,000/= (Rupees Twentyfive Thousand) before the time of sale mentioned in Ext.P1 and another sum of Rs.25,000/= (Rupees Twentyfive Thousand) within three weeks from today. Further, the petitioner is also permitted to pay off the amount remaining to be paid in six equal monthly instalments. The respondent Bank will serve a Statement on the petitioner within three weeks showing the exact

amount remaining to be paid with interest and also showing the amount of instalments payable by the petitioner on the basis that the petitioner has to pay the amount in six equal monthly instalments. The first instalment shall be payable on or before 20.9.2007 and the remaining instalments on or before the 20th of every succeeding month. If any of the instalments is not paid, petitioner will lose the benefit of this Judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

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